

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JAMES SURGET SHIELDS, IV,	}	
	}	
Plaintiff,	}	
	}	
vs.	}	CASE NO. CV 08-B-710-NE
	}	
LESLIE EANEALT, Principal of	}	
Huntsville High School,	}	
	}	
Defendant.	}	

MEMORANDUM OPINION

This case is currently before the court on plaintiff James Surget Shields, IV's ("Shields"), Motion for Leave to Proceed *in forma pauperis*, (doc. 2).¹ Shields, who is proceeding *pro se*, has submitted an affidavit on a form provided by the Clerk of the Northern District of Alabama that sufficiently demonstrates that he is unable to pay court fees and costs, so Shields is economically eligible for *in forma pauperis* status. See 28 U.S.C. § 1915; *Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1308 (11th Cir. 2004). However, Shields's claims are due to be dismissed *sua sponte* (on the court's own motion), pursuant

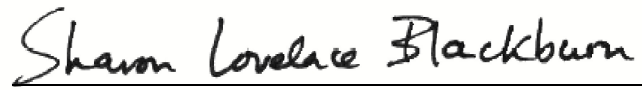
¹ Reference to a document number, ["Doc. ____"], refers to the number assigned to each document as it is filed in the court's record.

to 28 U.S.C. § 1915(e)(2)(B)(ii),² because Shields's complaint fails to state a claim on which relief can be granted.

Shields invokes the jurisdiction of the court pursuant to "the laws of the United States Northern 5th District," (doc. 1 at 2), but he does not identify any specific federal constitutional or statutory provision that the defendant is alleged to have violated. To be sure, Shields's complaint describes an abhorrent event: that five members of the 2006 senior class at Huntsville High School allegedly coerced Shields, a homeless man, to come into the school, and then pulled down Shields's pants in front of hundreds of students and while one of the five students videotaped Shields, causing Shields to go into a seizure and subjecting Shields to a host of unwanted publicity. (Doc. 1 at 2–3, 5.) Nevertheless, Shields's complaint does not state any claim on which relief can be granted against the named defendant, the principal of Huntsville High School, so the court is compelled to find that Shields's claims are due to be dismissed and that Shields's Motion for Leave to Proceed *in forma pauperis*, (doc. 2), is due to be denied as moot. An Order in accordance with this Memorandum Opinion will be entered contemporaneously herewith.

² Section 1915(e)(2)(B)(ii), which is part of a statute governing *in forma pauperis* proceedings, provides: "Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that-- . . . the action or appeal-- . . . fails to state a claim on which relief may be granted"

DONE this 30th day of June, 2008.

A handwritten signature in black ink, reading "Sharon Lovelace Blackburn". The signature is written in a cursive style with a horizontal line underneath it.

SHARON LOVELACE BLACKBURN
CHIEF UNITED STATES DISTRICT JUDGE